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Pacific Coast Bankers' Bancshares

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21

22 AmTrust Bank, a division of New York  
23 Community Bank,

24 Plaintiff,

25 v.

26 Pacific Coast Bankers' Bancshares d/b/a  
27 Bankers Loan Processing,

28 Defendant.

Case No. 3:11-cv-04847-WHA

The Hon. William Alsup

**STIPULATION TO DISMISS  
COMPLAINT WITH PREJUDICE,  
AND ORDER THEREON**

Plaintiff AmTrust Bank, a division of New York Community Bank ("AmTrust Bank"), by and through its counsel of record, Don P. Martin of Quarles & Brady LLP, and Defendant Pacific Coast Bankers' Bancshares, by and through its counsel of record, Jeffrey L. Fillerup of McKenna, Long & Aldridge, LLP (collectively "the Parties"), hereby stipulate to the dismissal of this case, as follows: (1) based on the Parties' settlement, the Parties stipulate to the Court's entry of an Order dismissing AmTrust Bank's Complaint in this case with prejudice pursuant to Federal Rule of Civil Procedure 41; (2) each party shall pay its own costs and attorney's fees; (3) the settlement shall be according to the terms and conditions set forth in the written settlement agreement between the Parties; and (4) subject to the terms of the settlement, there are no further issues between the parties relating to the subject of this case, and the case may be dismissed and closed.

DATED: 5/4/12

QUARLES & BRADY LLP

By: 

Don P. Martin  
Michael S. Catlett  
Attorneys for Plaintiff AmTrust Bank

DATED: 5/4/12

McKENNA LONG & ALDRIDGE LLP

By: 

Jeffrey L. Fillerup  
Attorneys for Defendant Pacific Coast Bankers'  
Bancshares

### **ORDER**

Based on the foregoing Stipulation and for good cause appearing,

IT IS HEREBY ORDERED, as follows:

1. AmTrust Bank's Complaint is dismissed with prejudice according to Federal Rule


1 of Civil Procedure 41;

2 2. Each party shall pay its own costs and attorney's fees;

3 3. The settlement shall be according to the terms and conditions set forth in the  
4 written settlement agreement between the Parties; and

5 4. Subject to the terms of the Parties' settlement, there are no further issues between  
6 the Parties relating to the subject of this case, and the case shall be dismissed and closed.

7  
8  
9 DATED: May 7, 2012.



William H. Alsup  
United States District Judge